

DECLARATION AND POWER OF ATTORNEY

#13 pg 10/29/01

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CRYSTALLINE TNF- α -CONVERTING ENZYME AND USES THEREOF

the specification of which is attached hereto unless the following box is checked:

☒ was filed on February 4, 1999 as United States Application Number 09/244,984.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

APPLICATION NO.	FILING DATE
<i>60/073,709</i>	<i>February 4, 1998</i>
<i>60/117,476</i>	<i>January 27, 1999</i>

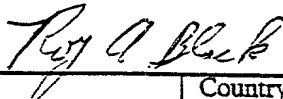
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

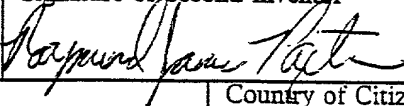
APPLICATION SERIAL NO.	FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
<i>09/050,083</i>	<i>March 30, 1998</i>	<i>Pending - Petition to Convert To A Provisional Application Under 37 CFR §1.53(C)(2) filed on January 27, 1999</i>

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Michael D. Kaminski, Reg. No. 32,904; Kenneth E. Krosin, Reg. No. 25,735; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No. 25,144; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258.

Address all correspondence to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109. Address telephone communications to John P. Isacson at (202) 672-5300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor Roy A. BLACK	Signature of First or Sole Inventor 	Date 4/19/99
Residence Address Seattle, Washington	Country of Citizenship U.S.A	
Post Office Address 8062 30th Avenue NE, Seattle, Washington 98115		

Full Name of Second Inventor Raymond James PAXTON	Signature of Second Inventor 	Date 4/19/99
Residence Address Bellevue, Washington	Country of Citizenship U.S.A	
Post Office Address 6583 156th Avenue SE, Bellevue, Washington 98006		

Full Name of Third Inventor Wolfram BODE	Signature of Third Inventor	Date
Residence Address Gauting, Germany	Country of Citizenship Germany	
Post Office Address Tulpenstrasse 5, D-82131 Gauting, Germany		

Full Name of Fourth Inventor Klaus MASKOS	Signature of Fourth Inventor	Date
Residence Address Holzkirchen, Germany	Country of Citizenship Germany	
Post Office Address Roggersdorferstrasse 36, D-83607 Holzkirchen, Germany		

Full Name of Fifth Inventor Carlos FERNANDEZ-CATALAN	Signature of Fifth Inventor	Date
Residence Address Martinsried-Planegg, Germany	Country of Citizenship Spain	
Post Office Address Am Klopferspitz 18a, D-82152 Martinsried-Planegg, Germany		

Full Name of Sixth Inventor <i>James Ming CHEN</i>	Signature of Sixth Inventor	Date
Residence Address <i>Bedminster, New Jersey</i>	Country of Citizenship <i>U.S.A.</i>	
Post Office Address <i>7 Sargent David Stoddard Court, Bedminster, New Jersey 07921</i>		

Full Name of Seventh Inventor <i>Jeremy Ian LEVIN</i>	Signature of Seventh Inventor	Date
Residence Address <i>New City, New York</i>	Country of Citizenship <i>U.S.A</i>	
Post Office Address <i>16 Long Meadow Drive, New City, New York 10956</i>		

10057321-092401

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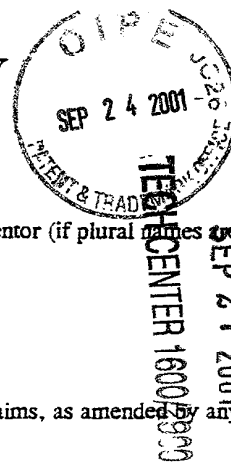
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Residence Address <i>Bellevue, Washington</i>	Country of Citizenship <i>U.S.A</i>	
Post Office Address <i>6583 156th Avenue SE, Bellevue, Washington 98006</i>		

Full Name of Third Inventor <i>Wolfram BODE</i>	Signature of Third Inventor <i>Wolfram Bode</i>	Date <i>3-29-99</i>
Residence Address <i>Gauting, Germany</i>	Country of Citizenship <i>Germany</i>	
Post Office Address <i>Talpenstrasse 5, D-82131 Gauting, Germany</i>		

Full Name of Fourth Inventor <i>Klaus MASKOS</i>	Signature of Fourth Inventor <i>Klaus Maskos</i>	Date <i>3-29-99</i>
Residence Address <i>Holzkirchen, Germany</i>	Country of Citizenship <i>Germany</i>	
Post Office Address <i>Roggersdorferstrasse 36, D-83607 Holzkirchen, Germany</i>		

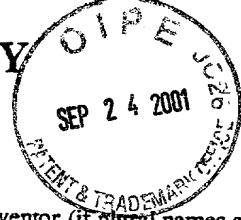
Full Name of Fifth Inventor <i>Carlos FERNANDEZ-CATALAN</i>	Signature of Fifth Inventor <i>Carlos Fernandez</i>	Date <i>3-29-99</i>
Residence Address <i>Martinsried-Planegg, Germany</i>	Country of Citizenship <i>Spain</i>	
Post Office Address <i>Am Klopferspitz 18a, D-82152 Martinsried-Planegg, Germany</i>		

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100-1224901

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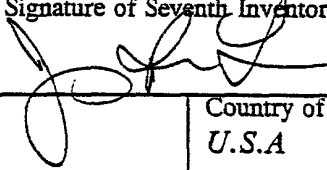
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Full Name of Seventh Inventor <i>Jeremy Ian LEVIN</i>	Signature of Seventh Inventor 	Date <i>3/29/99</i>
Residence Address <i>New City, New York</i>	Country of Citizenship <i>U.S.A</i>	
Post Office Address <i>16 Long Meadow Drive, New City, New York 10956</i>		

10057321-052401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

Applicant: Roy A. BLACK *et al.*

Prior Application No.: 09/611,722

Prior Filing Date: July 6, 2000

Examiner: S. Zhou

Art Unit: 1631

Title: CRYSTALLINE TNF- α -CONVERTING ENZYME
AND USES THEREOF



ASSOCIATE POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney of record hereby grants the following agent an associate power to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith:

R. Brian McCaslin, Reg. No. 48,571

All correspondence should continue to be sent to the undersigned.

Respectfully submitted,

24 September 2001
Date

Stephen A. Bent
Stephen A. Bent
Registration No. 29,768

FOLEY & LARDNER
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

10057324.092401

ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

IMMUNEX CORPORATION
51 University Street
Seattle, Washington 98101

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

CRYSTALLINE TNF- α -CONVERTING ENZYME AND USES THEREOF

as set forth in this United States Patent Application

- ☐ executed concurrently herewith
☐ executed on _____
☒ Serial No. 09/244,984 filed February 4, 1999



said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.

The undersigned hereby grant the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS

Name: Roy A. BLACK	Signature: <i>Roy A. Black</i>	Date: 4/19/99
Name: Raymond James PAXTON	Signature: <i>Raymond James Paxton</i>	Date: 4/19/99

NAMES AND SIGNATURES OF WITNESSES

Name:	Signature:	Date:
Name: RAYMOND GOODWIN	Signature: <i>Raymond Goodwin</i>	Date: 4/19/99

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

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as set forth in this United States Patent Application

☒ Serial No. 09/244,984 filed February 4, 1999

said application for United States Letters Patent, including all provisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions and upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.


The undersigned hereby grant the firm of FOLEY & LARDNER the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS

Name: James Ming CHEN	Signature: 	Date: 4/1/99
Name: Jeremy Ian LEVIN	Signature: 	Date: 4/1/99

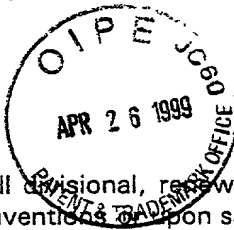
SUBSCRIBED AND SWORN TO BEFORE ME this 1st day of April, 1999.

DANIEL B. MORAN
Notary Public, State of New York
No. 01MO4944023
Qualified in Rockland County
Commission Expires Nov. 14, 2000


NOTARY PUBLIC
Print or Type Name: Daniel B. Moran
My Commission Expires: NOV 14, 2000

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

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ASSIGNMENT

WHEREAS, We, Roy A. Black, residing at 8062 30th Avenue N.E., Seattle, Washington 98115, Charles Rauch, residing at 6455 N.E. Dapple Court, Bainbridge Island, Washington 98110, Carl J. March, residing at 1754 Lewis Place, Bainbridge Island, Washington 98110, and Douglas P. Cerretti, residing at 1607 North 197th Place, Seattle, Washington 98133, are the inventors named in an application for Letters Patent of the United States entitled "TNF- α Converting Enzyme," said application filed May 23, 1996:

AND, WHEREAS, IMMUNEX CORPORATION, a corporation of the State of Washington, having a principal place of business at 51 University Street, Seattle, Washington 98101 (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire right and title to and interest in the invention disclosed in said application:

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE our entire right and title to and interest in said application and said invention(s) and all U.S. and foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

Executed at Seattle, Washington, this 6th day of July, 1996.

Roy A. Black
Roy A. Black

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 6th day of July, 1996, personally appeared before me Roy A. Black, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Diane M. Koster
Notary Public in and for the State of Washington,
residing at Shodan, WA
My commission expires 7/19/99.

PATENT

REEL: 8092 FRAME: 0383

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Executed at Seattle, Washington, this 11 day of July, 1996.

Charles Rauch
Charles Rauch

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 11th day of July, 1996, personally appeared before me Charles Rauch, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

James T. Hartson
Notary Public in and for the State of Washington,
residing at Shoreline, WA
My commission expires 4/19/97.

Executed at Seattle, Washington, this 10th day of July, 1996.

Carl J. March
Carl J. March

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 10th day of July, 1996, personally appeared before me Carl J. March, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

James T. Hartson
Notary Public in and for the State of Washington,
residing at Shoreline, WA
My commission expires 4/19/97.

Executed at Seattle, Washington, this 23 day of July, 1996.

Douglas P. Cerretti
Douglas P. Cerretti

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this 23 day of July, 1996, personally appeared before me Douglas P. Cerretti, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Francis M. Hartson
Notary Public in and for the State of Washington,
residing at Shoreline, WA
My commission expires 4/19/97.